

**CERTIFICATION OF NON-CONCURRENCE**

I declare, subject to the penalty of perjury and pursuant to Local Civil Rule 7.1, that I have sought the concurrence of defense counsel with respect to the accompanying motion and have been informed that Defendant currently does ***not*** concur in the motion. However, Defendant may alter its position after reviewing the motion.

Date: August 7, 2012

/s/ Peter Winebrake

Peter Winebrake

WINEBRAKE & SANTILLO, LLC

*(formerly "The Winebrake Law Firm, LLC")*

Twining Office Center, Suite 211

715 Twining Road

Dresher, PA 19025

(215) 884-2491